

IN THE CIRCUIT COURT OF ST. CLAIR COUNTY
STATE OF ILLINOIS

KRISSY L. GIBSON,)	
)	
Plaintiffs,)	
)	Case No.: 19L0013
v.)	
)	
SD LOGISTICS, INC.,)	
Serve: Registered Agent – Daniel Diaz)	
6955 NW 77 Avenue, Suite 404)	
Miami, FL 33166)	
)	
Defendant.)	

COMPLAINT

COMES NOW Plaintiff Krissy L. Gibson, by and through her attorneys, Padberg, Corrigan & Appelbaum, and for her cause of action against Defendant SD Logistics, Inc., states to the Court as follows:

GENERAL ALLEGATIONS

1. Plaintiff Krissy L. Gibson (hereinafter referred to as "Plaintiff") is a resident of the State of Illinois.
2. Defendant SD Logistics, Inc. (hereinafter referred to as "Defendant") is a Florida corporation in good standing.
3. At all times relevant herein and at the time of the subject incident, Defendant was operating commercial motor vehicles including tractor trailers, both intra-state and inter-state.
4. At all times relevant herein and at the time of the subject incident, Defendant's driver, Gilberto Perez (hereinafter referred to as "Defendant's driver") was

acting in the course and scope of his employment with Defendant.

5. On or about October 30, 2018, the intersection of West Hanover and 11 One Stop Drive was an open and public highway in St. Clair County, State of Illinois.

6. On or about October 30, 2018, Defendant's driver was an employee and agent of Defendant and was operating a tractor trailer, owned by Defendant, at the intersection of West Hanover and 11 One Stop Drive.

7. On or about October 30, 2018, Plaintiff was operating her motor vehicle at the intersection of West Hanover and 11 One Stop Drive.

8. On or about October 30, 2018, Defendant's driver unexpectedly pulled out in front of Plaintiff's vehicle, causing a violent collision.

9. At all times relevant herein, Defendant is vicariously liable for the actions of Defendant's driver under the doctrine of respondeat superior in that Defendant's driver was an agent, servant and/or employee of Defendant and was acting as an agent, servant and/or employee of Defendant at the time of the subject collision, leading up to the subject collision, and at all times mentioned herein.

10. The subject collision occurred as the direct and proximate result of the negligence, carelessness and recklessness of Defendant's driver, while he was acting within the course and scope of his employment with Defendant, in one or more of the following respects:

- (a) Defendant's driver, operated the tractor trailer at an excessive rate of speed for the conditions there and then existing, as required by 625 ILCS 5/11-601;

- (b) Defendant's driver drove at an unsafe, excessive and dangerous rate of speed, as required by 625 ILCS 5/11-601;
- (c) Defendant's driver operated Defendant tractor trailer without adequate training and experience;
- (d) Defendant's driver failed to operate Defendant tractor trailer under proper control;
- (e) Defendant's driver drove while tired and/or fatigued;
- (f) Defendant's driver operated the tractor trailer on the highway in such a manner that he could not stop in time to avoid a collision with an object in his vision;
- (g) Defendant's driver failed to keep a careful lookout ahead and laterally;
- (h) Defendant's driver failed to operate the tractor trailer on the correct side of the road;
- (i) Defendant's driver failed to operate the tractor trailer in a careful and prudent manner so as not to endanger the life or limb of any person, and more particularly, Plaintiffs; and

11. Jurisdiction and venue are proper in the Circuit Court of St. Clair County in that the subject incident occurred within St. Clair County, Illinois.

12. As a direct and proximate result of the negligence and carelessness of Defendant and Defendant's driver, Plaintiff was caused to be struck with great force and violence, which incident caused severe, permanent and progressive physical injuries to

Plaintiff's neck, back and knees causing all the various and diverse bones, joints, ligaments, tissues, cartilages and muscles to become fractured, ruptured, torn, dislocated, sprained and strained. Plaintiff's ability to carry on normal work and labor has been substantially impaired, lessened and restricted, and will in the future continue to be restricted. Plaintiff has been forced to incur various surgical, medical, physical therapy and diagnostic expenses as and for reasonable and necessary medical care and treatment of her injuries, and will in the future be forced to incur additional such medical expenses. Plaintiff's ability to engage in sporting and recreational activities and to enjoy the ordinary pursuits of life has been permanently impaired, lessened and restricted.

WHEREFORE, Plaintiff prays for judgment against Defendant in a just and reasonable sum in excess of \$50,000.00, together with his costs herein expended, and for such further relief as the Court deems just and proper under the circumstances.

Respectfully submitted,

PADBERG, CORRIGAN & APPELBAUM
A Professional Corporation
Attorneys for Plaintiffs



Michael P. Corrigan, #6205649
Nicole Burlison Knepper, #6294902
1926 Chouteau Avenue
St. Louis, MO 63103
314.621.2900
314.621.7607 (facsimile)
michael@padberglaw.com
nicole@padberglaw.com

AFFIDAVIT

STATE OF ILLINOIS)
) ss.
COUNTY OF ST. CLAIR)

Michael P. Corrigan, being first duly sworn upon oath, deposes and says that the allegations in the foregoing Complaint are true and correct to the best of his knowledge pursuant to Supreme Court Rule 222(b) and that the damages sought are in an amount in excess of Fifty Thousand and 00/100 Dollars (\$50,000.00), plus costs of suit.

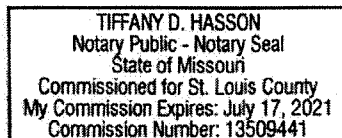
1/3/19
Date

Michael Corrigan
MICHAEL P. CORRIGAN

SUBSCRIBED AND SWORN TO before me this 3rd day of January, 2019.

Tiffany D. Hasson
Notary Public - Tiffany D. Hasson

My Commission Expires: July 17, 2021



IN THE CIRCUIT COURT OF ST. CLAIR COUNTY
STATE OF ILLINOIS

KRISSY L. GIBSON,

Plaintiff,

v.

SD LOGISTICS, INC.,

Defendant.

)
)
)
)
)
)
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)
)
)

Case No.: 19L0013

ENTRY OF APPEARANCE

COMES NOW Nicole Burlison Knepper of Padberg, Corrigan & Appelbaum and
enters her appearance on behalf of Plaintiff in the above-styled case.

Respectfully submitted,

PADBERG, CORRIGAN & APPELBAUM
A Professional Corporation
Attorneys for Plaintiffs



Michael P. Corrigan, #6205649
Nicole Burlison Knepper, #6294902
1926 Chouteau Avenue
St. Louis, MO 63103
314.621.2900
314.621.7607 (facsimile)
michael@padberglaw.com
nicole@padberglaw.com

ST CLAIR COUNTY
TWENTIETH CIRCUIT COURT, KAHALAH A. CLAYRECEIPT #: C 000497576
RECEIVED OF: CORRIGAN MICHAEL P
PART. ID: 518031
BY CLERK: BJ
CHECKS:

DATE: 01-08-2019

TIME: 14:36:39
MEMO:
003389930-0CASH
\$0.00CREDIT
\$277.00CHANGE
\$0.00OTHER
\$0.00

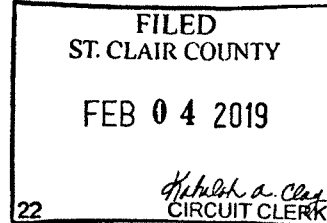
CASE NUMBER	EVENT	COURT/JUDGE	TAX NO.	AMOUNT
19-L-0013 GIBSON VS SD LOGISTICS INC PARTY: CORRIGAN MICHAEL P	2023 PMT:CFIL COMPLAINT FILING FEE			\$277.00
TOTAL RECEIPT...				\$277.00

**IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
ST CLAIR COUNTY, ILLINOIS**

INITIAL MANDATORY STATUS CONFERENCE SETTING ASSIGNMENT

GIBSON VS SD LOGISTICS INC	19-L-0013
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TO: A FILE COPY



Date : 3/11/2019

Time : 9:00 AM

Room : 404

The above-styled case is assigned to: **HON. ANDREW GLEESON.**

Counsel familiar with the case and authorized to act is ordered to appear for an Initial Mandatory Status Conference on the above date, time and courtroom pursuant to Local Rule 6.06, and Supreme Court Rule 218.

At the aforesaid conference the following shall be considered:

1. Service upon all of the parties;
2. Whether the case will be jury or no-jury;
3. The nature, issues, and complexity of the case;
4. Simplification of the issues;
5. Amendments and challenges to the pleadings;
6. Admissions of fact and documents;
7. Limitations of discovery, including but not limited to written discovery, depositions, and opinion witnesses;
8. Third parties;
9. Scheduling of settlement conferences;
10. Necessity of subsequent case management conferences;
11. Trial settings.

Office of Chief Judge

SCA11 0012/2019
L63

IN THE CIRCUIT COURT OF ST. CLAIR COUNTY
STATE OF ILLINOIS

KRISSY L. GIBSON,

Plaintiff,

v.

SD LOGISTICS, INC.,

Defendant.

Case No.: 19L0013

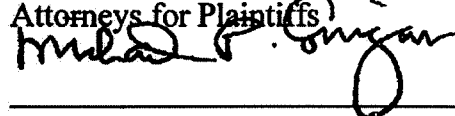
REQUEST FOR SPECIAL PROCESS SERVER

Comes now Plaintiff, by and through her counsel of record, and at her own risk,
requests the appointment by the Circuit Clerk of the following process server: Miami-
Dade County Sheriff, 601 NW 1st Court, 9th Floor, Miami, FL 33136, to serve the
summons and petition in this cause on the Defendant as follows:

SD Logistics, Inc.
Registered Agent – Daniel Diaz
6955 NW 77 Avenue, Suite 404
Miami, FL 33166

Respectfully submitted,

PADBERG, CORRIGAN & APPELBAUM
A Professional Corporation
Attorneys for Plaintiffs



Michael P. Corrigan, #6205649
Nicole Burlison Knepper, #6294902
1926 Chouteau Avenue
St. Louis, MO 63103
314.621.2900
314.621.7607 (facsimile)
michael@padberglaw.com
nicole@padberglaw.com

CIRCUIT COURT FOR THE 20TH JUDICIAL CIRCUIT

State of Illinois)
County of St. Clair) S.S.

Case Number 19L0013

Amount Claimed over \$50,000

KRISSY L. GIBSON

SD LOGISTICS, INC.

VS

Plaintiff(s)

Defendant(s)

Classification Prefix _____ Code _____ Nature of Action _____ Code _____

Pltf. Atty. Michael P. Corrigan Code 5509
Address 1926 Chouteau Avenue
City St. Louis, MO 63103 Phone 314.621.2900
Add. Pltf. Atty Nicole B. Knepper Code 062163

TO THE SHERIFF: SERVE THIS DEFENDANT AT

NAME SD Logistics, Inc.'s Registered Agent -

Daniel Diaz

ADDRESS 6955 NW 77 Avenue, Suite 404

SUMMONS COPY

To the above named defendant(s).

CITY & STATE Miami, FL 33166

☐ A. You are hereby summoned and required to appear before this court at
(court location) _____ at _____ M. On _____ 20
to answer the complaint in this case, a copy of which is hereto attached. If you fail to do so, a judgment by default may
be taken against you for the relief asked in the complaint.

☒ B. You are summoned and required to file an answer to the complaint in this case, a copy of which is hereto
attached, or otherwise file your appearance, in the office of the clerk of this court within 30 days after service of this
summons, exclusive of the day of service. If you fail to do so, judgment of decree by default may be taken against you
for the relief prayed in the complaint.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service
provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider.

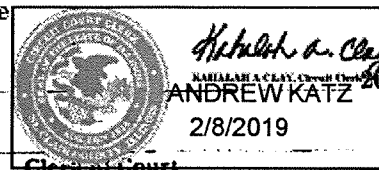
If you need additional help or have trouble e-filing, visit <http://www.illinoiscourts.gov/FAQ/gethelp.asp>.

TO THE OFFICER:

This summons must be returned by the officer or other person to whom it was given for service, with
indorsement thereon of service and fees if any, immediately after service. In the event that paragraph A of this
summons is applicable this summons may not be served less than three days before the day of appearance. If service
cannot be made, this summons shall be returned so indorsed.

This summons may not be served later than 30 days after its date

WITNESS, _____



Clerk of Court

SEAL

BY DEPUTY: _____

DATE OF SERVICE: _____ 20__

(To be inserted by officer on copy left with defendant
or other person)

I certify that I served this summons on defendants as follows:

(a) – (Individual defendants – personal):

By leaving a copy of the summons and a copy of the complaint with each individual defendant personally as follows:

Name of defendant	Date of service
_____	_____
_____	_____
_____	_____
_____	_____

(b) - (Individual defendants - abode):

By leaving a copy of the summons and a copy of the complaint at the usual place of abode of each individual defendant with a person of his family, of the age of 13 years or upwards, informing that person of the contents of the summons, and also by sending a copy of the summons and of the complaint in a sealed envelope with postage fully prepaid, addressed to each individual defendant at his usual place of abode, as follows:

Name of defendant	Person with whom left	Date of service	Date of mailing
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(c) - Corporation defendants):

By leaving a copy of the summons and a copy of the complaint with the registered agent office, or agent of each defendant corporation as follows:

Defendant corporation	Registered agent, officer or agent	Date of service
_____	_____	_____
_____	_____	_____
_____	_____	_____

(d) - (Other service):

SHERIFF'S FEES	
Service and return _____	\$ _____
Miles _____	\$ _____
Total	\$ _____
Sheriff of _____ County	

_____, Sheriff of _____ County

_____, Deputy

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
ST CLAIR COUNTY, ILLINOIS

INITIAL MANDATORY STATUS CONFERENCE SETTING ASSIGNMENT

GIBSON VS SD LOGISTICS INC

19-L-0013

TO: CORRIGAN MICHAEL P
ATTORNEY AT LAW
1010 MARKET STREET SUITED 650
ST LOUIS, MO 63101

FILED
ST. CLAIR COUNTY

FEB 04 2019

22

Harold A. Clay
CIRCUIT CLERK

Date : 3/11/2019

Time : 9:00 AM

Room : 404

The above-styled case is assigned to: HON. ANDREW GLEESON.

Counsel familiar with the case and authorized to act is ordered to appear for an Initial Mandatory Status Conference on the above date, time and courtroom pursuant to Local Rule 6.06, and Supreme Court Rule 218.

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1. Service upon all of the parties;
2. Whether the case will be jury or no-jury;
3. The nature, issues, and complexity of the case;
4. Simplification of the issues;
5. Amendments and challenges to the pleadings;
6. Admissions of fact and documents;
7. Limitations of discovery, including but not limited to written discovery, depositions, and opinion witnesses;
8. Third parties;
9. Scheduling of settlement conferences;
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11. Trial settings.

Office of Chief Judge

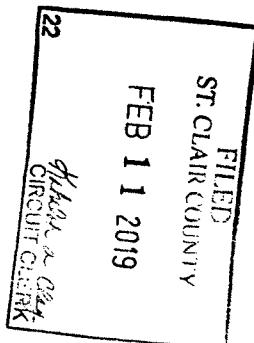
OFFICE OF CHIEF JUDGE
ST. CLAIR COUNTY BUILDING
10 PUBLIC SQUARE
BELLEVILLE, ILLINOIS 62220-1623

TEMP - RETURN SERVICE REQUESTED

1920013

Melissa Mappie

[Handwritten signature]

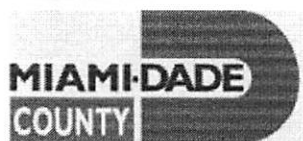


NIXIE 631 DE 1270 0002/09/19

RETURN TO SENDER
NOT DELIVERABLE AS ADDRESSED
244565 90 FORWARD

RC: 62220162310 1116-07211-09-44

139 ARB66666 163101



Miami-Dade Police Department

Court Services Section

Juan J. Perez
Director / Metropolitan Sheriff



KRISSY L. GIBSON vs. SD LOGISTICS, INC.

Case Number
19L0013

RETURN OF SERVICE

SUMMONS - CIVIL

2/27/19 12:39 pm	Served - Corporate Service	SERVED	SD LOGISTICS, INC.
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02/15/2019 Came this day into hand of the Sheriff

02/27/2019 12:39 PM - SERVED THE SUMMONS UPON SD LOGISTICS, INC. AT 6955 NW 77 AVENUE, SUITE # 404, MIAMI, FL 33166 BY DELIVERING A COPY TO @ACCEPTEDBY, IN ACCORDANCE WITH F.S. 48.081 AND F.S. 48.091. SERVICE AFFECTED BY: CSS1 DARRYL REDDING #8331, DEPUTY SHERIFF OF MIAMI-DADE COUNTY, FL. SERVED DIANA VALDEZ- BUSINESS AGENT


DARRYL REDDING, CSS1, #8331

PADBERG, CORRIGAN & APPELBAUM
1926 CHOUTEAU AVE
ST. LOUIS, MO 63103

CIRCUIT COURT FOR THE 20TH JUDICIAL CIRCUIT

State of Illinois)
County of St. Clair) S.S.

Case Number 19L0013

Amount Claimed over \$50,000

KRISSEY L. GIBSON

SD LOGISTICS, INC.

VS

Plaintiff(s)

Defendant(s)

Classification Prefix _____ Code _____ Nature of Action _____ Code _____

Pltf. Atty. Michael P. Corrigan Code 5509
Address 1926 Chouteau Avenue
City St. Louis, MO 63103 Phone 314.621.2900
Add. Pltf. Atty Nicole B. Knepper Code 062163

TO THE SHERIFF: SERVE THIS DEFENDANT AT

NAME SD Logistics, Inc.'s Registered Agent -

Daniel Diaz

ADDRESS 6955 NW 77 Avenue, Suite 404

SUMMONS COPY

To the above named defendant(s).

CITY & STATE Miami, FL 33166



A. You are hereby summoned and required to appear before this court at
(court location) _____ at _____ M. On _____ 20
to answer the complaint in this case, a copy of which is hereto attached. If you fail to do so, a judgment by default may
be taken against you for the relief asked in the complaint.



B. You are summoned and required to file an answer to the complaint in this case, a copy of which is hereto
attached, or otherwise file your appearance, in the office of the clerk of this court within 30 days after service of this
summons, exclusive of the day of service. If you fail to do so, judgment of decree by default may be taken against you
for the relief prayed in the complaint.

E-filing is now mandatory for documents in civil cases with limited exemptions. To e-file, you must first create an account with an e-filing service
provider. Visit <https://efile.illinoiscourts.gov/service-providers.htm> to learn more and to select a service provider.

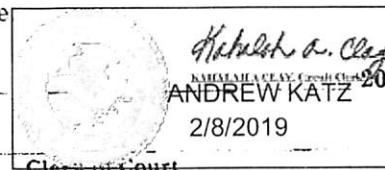
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TO THE OFFICER:

This summons must be returned by the officer or other person to whom it was given for service, with
indorsement thereon of service and fees if any, immediately after service. In the event that paragraph A of this
summons is applicable this summons may not be served less than three days before the day of appearance. If service
cannot be made, this summons shall be returned so indorsed.

This summons may not be served later than 30 days after its date

WITNESS, _____



Clerk of Court

BY DEPUTY: _____

SEAL

DATE OF SERVICE: _____ 20__

(To be inserted by officer on copy left with defendant
or other person)

I certify that I served this summons on defendants as follows:

(a) - (Individual defendants - personal):

By leaving a copy of the summons and a copy of the complaint with each individual defendant personally as follows:

Name of defendant	Date of service
_____	_____
_____	_____
_____	_____
_____	_____

(b) - (Individual defendants - abode):

By leaving a copy of the summons and a copy of the complaint at the usual place of abode of each individual defendant with a person of his family, of the age of 13 years or upwards, informing that person of the contents of the summons, and also by sending a copy of the summons and of the complaint in a sealed envelope with postage fully prepaid, addressed to each individual defendant at his usual place of abode, as follows:

Name of defendant	Person with whom left	Date of service	Date of mailing
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(c) - Corporation defendants):

By leaving a copy of the summons and a copy of the complaint with the registered agent office, or agent of each defendant corporation as follows:

Defendant corporation	Registered agent, officer or agent	Date of service
_____	_____	_____
_____	_____	_____
_____	_____	_____

(d) - (Other service):

SHERIFF'S FEES	
Service and return _____	\$ _____
Miles _____	\$ _____
Total _____	\$ _____
Sheriff of _____ County	

_____, Sheriff of _____ County

_____, Deputy